

Docket AUS920010253US1

Appl. No.: 09/925,585
Filing Date: 08/09/2001**In the United States Patent and Trademark Office****RECEIVED
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In re the application of:)		
Lane Thomas Holloway)		
)		
Filed: 08/09/2001)	Group Art Unit:	2178
)		
For: Method, Apparatus and)	Examiner:	Manglesh M. Patel
Computer Program Product)		
for Interactive Surveying)		
)		
Application No.)		
09/925,585)		
)		
Appellant's Docket:)		
AUS920010253US1)		

REPLY BRIEF

Dear Sir:

This Reply Brief is responsive to Examiner's Answer dated September 26, 2006.

At least a part of Examiner's Reply speaks to a position Appellant does *not* assert.

Further, Examiner's Reply fails to fully address what Appellant *does* assert.

In particular, Examiner's Reply states on page 14, regarding arguments presented in Appellant's Appeal Brief on pages 7-9, that "the examiner fails to understand how branching to questions based on answers is novel in a survey." However, Appellant's Appeal Brief never contends that branching to questions based on answers in a survey is, by itself, novel.

Appellant's Appeal Brief argues on page 8 that claim 1 in the appealed application refers to delivery of a program having instructions for causing one computer (a "second" computer) to analyze answers received from a user and present next questions to the second computer responsive to those received answers. Thus the claim makes no mention of intervention by another computer (a "first" computer) between questions and answers, as is taught by Majoor.

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According to claim 1 of the application, it is the second computer that analyzes answers and presents next questions per its program. Appellant further argues on page 8 that the intervention by another computer, as taught by Majoor, teaches away from what is claimed in the present application *and* the principle of operation of Majoor must be changed in order to combine its teaching with that of Peters. Examiner's Answer simply does not address these arguments.

Appellant's Appeal Brief points out on page 7 that Gupta teaches a program generates *answers responsive to questions* and also that *the program randomly selects the questions*, but that according to claim 1 in the present application a program generates *questions responsive to answers* and that *a user selects the answers*. Appellant's Appeal Brief, accordingly, points out on page 7 that the principle of operation of Gupta is different than what is claimed in Appellant's application and that the combination of references, therefore, is not proper. Examiner's Answer simply does not address these arguments.

REQUEST FOR ACTION

Based on the above arguments and Appellant's previously filed Appeal Brief, Appellant requests that claims 1, 4-8, 11-15, and 18-21 of the present application be allowed and the application promptly be passed to issuance.

Respectfully submitted,

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